

1887-016 Chancery Causes: Solomon D. Hobbs vs. John Ramsey + wife
Lee Co.

Campbell

CA-Contract Dispute
T-Property

To The Hon John Ashley Judge of the ~~County~~
Court of Lu County Virginia

Humbly complaining your orator
Solomon D. Hobbs, would respectfully show
your Honor That some several years ago,
our James Campbell died intestate in
This County seized of valuable real estate
on the 18th day of December 1877. The
heirs of the said James Campbell partitioned
the lands which had descended to them
from their father, among themselves &
kept the mill lot and its machinery ap-
parturances &c which was not partitioned
so that said mill lot & appurtenances, mill
and machinery &c. was left as the property
in coparcenary of the heirs of James
Campbell deceased. One Ruth Hobbs
was one of these heirs, of whom there was
4. The said Ruth has since died in
testate leaving 5 heirs, of whom Winford
M Hobbs, is one. The said Winford M.
~~Hobbs~~ has intermarried with one John
Ramsay. On the day of March the
said Winford M Ramsay by and with
the ~~then~~ consent of her husband, sold
her undivided interest in said mill
lot & land to your Orator and executed
to him a title bond binding themselves
to convey said undivided interest in

Mill lot or parcel of land to your orator
when the purchase money therefor was
paid, which it is provided in said bond
was to be paid by the 13th day of November
1883. to which said title bond the said
Winiford M. Ramsey & John Ramsey both
signed their names and affixed their
seals all of which fully appears by reference
to said title bond which is here filed as
part hereof marked A)

Your orator will now show your Honor
That on the day said money became due
he tendered to the said Winiford M. Ram-
sey and John Ramsey her husband the
full amount of the purchase price which
he had agreed to pay them for their inter-
est in said land or mill lot, with the
appointments and demanded of them
a deed for the same but said parties refus-
ed to accept said deed, or to receive said
sum of money. Your orator here alleges
That he is now ready and has always been
ready to pay said sum of money to said
parties and to comply in all things
with his contract. The interest of the
said Ramsey & wife in said mill lot of
land is one thirtyeth share and this
your orator is entitled to.

Now the object of your orator's bill
is to have specific execution of said con-
tract and to compel the said, John Ramsey
and Winiford his wife to convey their interest
in said land to your orator, and being
without remedy at law and only relievable
in a court of equity he prays your orator
to take cognizance of his cause, and
grant him the relief proper to his case.
He therefore prays that John Ramsey
and Winiford M Ramsey his wife be
made parties defendant to this bill
and that they each be required to answer
its allegations on oath and that on a
final hearing they be compelled to con-
vey pursuant to the terms of their
title land their undivided interest in
said mill lot or parcel of land
and for such other further and general
relief as is suited to his case and as in
duty they will ever pray, &c

Richard Duncan & Co.,

for Plaintiff.

Diffs Costs

ℓ 893

3 1.00

J.P. 4.52

Const & wgt 1.00

Depts Costs

ℓ 1.92

J.P. 7.12 1/2

^{12. 3. 84}
Solomon D Hobbs

vs 3 Orig Bill,

John Ramsay & wife

1884 May bill filed

" June bill filed

" July bill filed

" Aug bill filed

" Sept bill filed

1884 Nov Continued

1885 Mr. Ans filed & Contd

Aug & Nov Contd

1886 Contd 1887 Contd

1888 April Contd

" Sept Decree final

To the Hon. John A. Kelly Judge of the Circuit Court
of Lee County Virginia

The Separate demurrer and Answer of Hineford
M. Ramsey wife of John Ramsey to a bill filed in this
honorable Court against her and her said husband by
Solomon D. Hobbs.

This respondent says that she has just read and
the demurrer and Answer of her husband John Ramsey
to the plaintiffs said bill and without repeating the
same in this her Answer, she hereby joins in the said
demurrer of her husband, and she adopts his answer
to said bill to all intents and purposes, as and for her answer
in this case touching everything of which it speaks.

But in addition to what is said in said Answer
this respondent says that her Mother Ruth Hobbs
deceased this life in the month of June 1880 and
that it was at her death that she acquired by
descent an interest in said Mill property.

Respondent further states that she was a married
woman at the time of her Mothers death and at
that time only ^{she} acquired the property in question
and this was long after the Legislature of Virginia
had passed the act to protect the rights of married
women who might thereafter acquire property, as well as those
who might thereafter marry popularly known as the
"married women act"; and while it may be true
that her husband undertook to sell this respondents
interest in the said Mill to the plaintiff as stated
by him in his answer Yet she says, that the

second section of said act secures to her beyond the control of her said husband said Mill property and she now claims all the benefit that act secures to her

Respondent further says she did not bargain or sell her interest in said Grist Mill or the Mill site to the plaintiff and she did not then know that she owned an interest in said Saw Mill, and she is advised that the promisor in which her name was signed to said paper (A) as stated by her husband does not amount in law to a valid execution thereof. But if it should be considered as her act & signature, then she says that the law out of tenderness to married women will consider such act done under the compulsion and influence of her husband and that she is not in the least bound thereby.

This respondent having now answered as fully as she is advised it is material for her to answer she now denies each and every allegation of said bill not before denied confessed and avowed and she avows that the plaintiffs bill be dismissed & her costs denied her

Prudence M. Morgan for Defs

I do swear that the statements in the foregoing answer so far as much as my own knowledge are true; and so far as much as information derived from others I believe them to be true so help me God.

Winifred M. Ramsey

Subscribed & sworn to before me by
Winifred M. Ramsey the 17 of Nov. 1884

John W. Woodward J.P.

Winiford M. Hamay

Ads { Separate Answer

Salmon D. Hobbs.

Filed in open court
by leave thereof
March 26th 1885
J. A. G. Hyatt C.

To the Hon. John A. Kelly Judge of the Circuit
Court of Lee County Virginia:

The Separate demurrer and Answer of John
Ramsey to a Bill filed in this Honorable Court against
him and his wife Winifred Dr Ramsey by Solomon
D. Hobbs. This respondent says that the plaintiffs said
Bill is not sufficient in law for the plaintiff therein to
leave and maintain the same against him, and of this
he prays the judgment of the Court whether he shall be
required further to answer the same; But if other and
further answer be required at his hand, Answering
he says. That it is true James Campbell died intestate
in this County many years ago, the owner of valuable
real estate lying on Martins Creek in this County, and
that the same descended to his heirs at law.

Respondent states that in the lifetime of said James
Campbell, that he and his son David B Campbell, jointly
erected a grist Mill on said Creek, and on the tract of
land owned by Jas. Campbell, so that at the death of the
latter, his share of said grist Mill descended along with
his other real estate to his heirs at law.

It is also true that the tract of land owned by said Jas
Campbell at his death was subsequently partitioned
among his heirs at law, except the said Mill and its situation
which was not so partitioned.

It is also true that Ruth Hobbs was one of the heirs at
law of said James Campbell and that there were five other
heirs: It is also true that Ruth Hobbs died about the year
1880 leaving five children her heirs at law, of whom Winifred

Mr Hobbs was one, And it is also true that this respondent married the said Winifred M Hobbs whereby she became Winifred M Ramsey and the wife of Respondent.

Respondent states that after the death of said James Campbell, David B. Campbell his son, who at the time was understood to own one half of said Grist Mill in his own right, and one sixth of the other half by descent, made an arrangement with the other five heirs, to erect a Saw-Mill, in connection with said Grist Mill, and said Saw-Mill was accordingly erected by said David B. Campbell, and by the arrangement first referred to, said David B. Campbell, was understood to be the sole owner of said Saw-Mill: And this understanding continued to prevail until after paper (A) filed as an exhibit with plaintiffs bill, was signed by respondent in the manner hereafter detailed: And until after that ^{time}, respondent always understood that the title to said Mill site was in the heirs of Jas Campbell, that the title to one half the Grist Mill was also in them, and the title to the other half was in David B. Campbell and that the title to said Saw-Mill was wholly in the latter. But since the signing of the paper aforesaid respondent has learned that some years before, said David B. Campbell had abandoned all claim to said Mills in his own right further than such interest as he had descended to him from his father, upon the ground that he had no written contract with his father in relation to said Grist Mill, or with said heirs in relation to said Saw-Mill and thus being the

truth of the matter, respondent was wholly ignorant of his wife's interest in said two Mills, and the Mill site; at the time said contract was signed by him as hereafter shown.

Respondent now states that some short time before the 30th day of March 1883 he did propose and offer to sell to the plaintiff his wife's interest in said grist Mill, but not his interest in the Mill site, or Saw Mill, for as to the latter he did not know she had an interest therein, and he communicated to his said wife the fact of his said offer of sale, whereupon she neither dissented or assented to ^{such sale}. And at a subsequent time respondent did agree with the plaintiff to sell his said wife's interest in the grist Mill for Ten dollars; but not his interest in the Mill site, or Saw Mill:

On the 30th of March 1883, the plaintiff came to respondent into house and informed him that he had come to close the contract, and produced the paper filed as exhibit (A) with his bill, and respondent without reading it which he could have done, and relying on the plaintiff as a fair man, and one that would take no undue advantage signed said paper without reading it, or understanding its purport, or its broad & comprehensive terms: at the time respondent so signed said paper, his wife was in the kitchen and on being called came to the door where the plaintiff remarked to her that he supposed it would be sufficient for respondent to sign her name to said paper, but she neither assented thereto, or dissented therefrom, and respondent thereupon signed her name to said paper and these being the facts of the case respondent says it is not true as alleged by the plaintiff, that he signed

Salmon D. Hobbs.

vs.

John Ramsey & wife

Petty

Defts

In Eq.

In settling this cause it was assumed at the bar and shown by a paper filed in the case (Exhibit A) that the purchase money has been paid by the plaintiffs to the defendants, and that the debt, but executed a deed of conveyance to the plaintiff conveying to him the interest of Ramsey's undivided interest in the Campbell tract as well in the proceedings mentioned, but not her interest in the tract. Well as, decided by a decree in this case, of Nov. 26 1886. It is therefore adjudged ordered & decreed that the parties be dismissed from the cause & taken from the docket.

Samuel D. Hill

27. } Samuel D. Hill

John Ramsey, wife

Existed 1852 1857

John Ramsey & Co.

Entered this
Sept 4 1857
J. D. Hill

Solomon D. Hobbs.

vs.

John H. Henshaw & wife

Plffs. } In Chy
Dfts. }

This cause came on this day to be heard on the bill of the plaintiff and exhibits therewith, the answers of the defendants & replication thereto the depositions of witnesses and was argued by counsel. And thereupon the parties by their counsel in open court giving their consent thereto the following decree is entered in the cause as a final adjustment of all matters involved. It is adjudged ordered and decreed that the Plff pay the defendant the ten dollars the purchase price of the property in question with such interest as may have accrued thereon. The defendants shall make oaths and acknowledgments for record in respect of the conveyance, conveying their undivided interest in the Great Mill in the ^{right of water & race} to the plaintiff ^{providing the same is not of the kind to which the mill is entitled}. But the defendants are of water race & dam thereof in the presentings mentioned. And each party is to pay their own costs. The cause is continued.

Salomon D. Robbs

as { Dec 1

John Ramsey

Enter 575
J. A. Wyatt 22

We agree this clause

Produce & Morgan for 24th

Enter this

Nov 24/1886

J. A. K.

Solomon D. Hobbs.

vs.

John Ramsey wife

Pff

Deft

In Chancery.

The deposition of John Ramsey, David L. Campbell
John Campbell taken pursuant to Notice hereunto returned
at Beels Forge Lee County Virginia on the ^{10th} 12th day of Sept
1885. which are intended to be read as evidence on the
part of the defendants in the above styled cause now
pending in the circuit court of Lee County Va.

The said John Ramsey a witness of lawful age being
duly sworn deposes and says

First Question by Deft Mr Ramsey please state what interest
you thought your wife owned in the old Campbell
Mill at the time you agreed to sell it to the Pff?

(Plaintiff objects to defendants testimony, on the
grounds that defendants evidence is in behalf of his
wife

Answer, I did not know that she had any interest
in the same mill, I thought the interest in the ^{mill} ~~gravel~~
was all she had,

Second Question, Please state what interest it was
that ~~it was~~ you intended to sell the plaintiff, was
it your wifes interest in the ~~entire~~ entire mill prop-
erty including the mill site, or was it her interest only
in the great mill,

Answer The great mill only, as I knew nothing
of the other interest being in any way connected with
her rights until some time after wards, when

(2)

D.C. Campbell gave up the saw mill to Plaintiff Hobbs

3 Question by same, Please state as near as you can how long it was after you commenced talking about ~~make~~ ^{ing} said sale that you first learned that your wife had an interest in the saw mill, and did you at any time offer or talk about selling her interest in the saw mill
 Answer, I suppose it was some three or four weeks ~~after~~ after the trade was made, and as to offering or attempting to sell the saw mill I did not,

Further Taking of Depositions postponed until 14th at Campbell's or Hobbs' mill

Wth again assembled. according to agreement at Hobbs' mill on the 14th 1892 all parties being present

4 Question by Defendant, During your negotiations with the Plaintiff in reference to said sale, was there any thing said about your wife's interest in the mill seat, or saw mill, or did you ever speak and talk ^{any} of the joint mill,

Answer, I have said nothing said about the interest any way, the first day

5 Question by same, At the time you signed the written Contract, did you read it or have it read and did you know at that time, that your wife owned an interest in the saw mill,

Answer, I did not read it or have it read

(3)

nor have it read at that time but have since I did not know at that time she had ~~an interest~~ ^{an interest} in the saw mill, for the reason that my Father-in-law told me that ^{he told me} the rest of the Campbells had given up the saw mill to David C Campbell
 6th Question by same, your wife never appeared to be signed to the written Contract filed as an exhibit with the Plaintiff bill, Please state how her name came to be signed thereto and all the facts and circumstances in relation thereto

Answer, I signed her name to the writing ^{or bond and} The next day after my wife ^{had} told me she did not want Solomon D Hobbs to have the mill, ~~for~~ Hobbs the Plaintiff brought the ^{the next day} bond, and handed to me and I called my wife from the kitchen and when she came to the door I told her here is this bond to sign and she said her head was hurting her so that she was not capable of attending to any business, she said she was so nervous she could not write her name, And Solomon D Hobbs told me that you can write her name, and I did so after my wife disappeared from the room,

7th Question by same, Is ten dollars a full and fair price for your wife's interest in the mill seat, joint and saw mill or is that sum grossly inadequate

Answer, I think it is, and would not have taken fifty dollars for the site had I have known

(H)

my wife

8th Q- Had an interest in the whole mill site

8th Question by same, If you had known the written contract was for the mill site great mill and saw-mill, would you have signed your name thereto

Answer I would not

9th Question by same, Please state why you did not make ^{written} said contract before putting your name thereto

Answer, I am a bad hand to read, ^{was} am reason, and I did not suppose that the contract contained any thing more than our contract the day before

10th Question by same, Please state as near as you can the day month and year your ^{wife's} mother died,

Answer, As well as I can recollect she died June the 12th 1885

11th Question by same, Please state whether or not the purchase price of Ten dollars has ever been paid and whether any tender thereof has ever been made, and if so the manner time and place of such tender,

Answer, The money has not been paid, on or about the first days of March 1884 James Hobbs son of Solomon D Hobbs came to my house and pulled out his pocket book and said he had the money to lift the note I held on Solomon D Hobbs, and that his father was not in a hurry about his debt so it was made some time in the near future, he did not show the precise amount of money nor do I know how much he had

Testimony

cross examination

1st Question by Plaintiff, Mrs Ramsey was it not about the 29th of March 1843 that I came to your house and proposed to buy your wife's interest in said mill property?

Answer I think it ~~was~~ ^{was}

2nd Question by same, Did I not tell you that I had bought Ella Campbell's interest in the mill property and would ~~also~~ ^{you} have come to ~~buy~~ ^{buy} your wife's interest in the same property and state the best recollection you ^{have}?

Answer Solomon D Hobbs came to my house and said John I have come to see if there is any trade in your and Mine (meaning my wife) And I said we are trading Characters, what do you want to trade about, he said he wanted to buy our interest in the old mill, and I told him I had been telling my wife if I was dead would sell it, I said that John Campbell had been there to buy ~~my~~ ⁱⁿ our interest in the old mill, but John Campbell thought we had two or three shares in the mill and I told him I did not claim any and my wife's interest, and he went off and has not said any thing more about it And I had thought of going some day and seeing said John Campbell and proposing a trade of some kind ~~at that time~~ that the mill was not doing us any good, that we were not getting any grain from the mill, And said Solomon D Hobbs said he had bought Ella Campbell's interest in said mill, and would like to buy your interest, and I said my wife can sell to you if she wanted to, and she ^{said I would not} that I could if I wanted to, and the words passed between me and my wife several times, and at last I told Mr Hobbs that I would let him have ~~the mill property~~ ^{it} for ten dollars and pay me the first day of November to meet the payments on my land which was on the first day of November 1843 (Common)

(6)

and he said he could not pay me then but would give
his note due twelve months from that date and I told
him I could not do that, that if I could not get the money
by far it I could not sell it at all if I could not get
the money to meet the payments on the land I would not
sell at all, as he said he would give me twenty bushels
of corn for it, and I told him I would not do that
but would take corn at two shillings per bushel and
~~if he would~~ he said he would not do that he would rather
let me have the corn at the market price, and I told him
that I would take the corn that way, and he said he would
be give me a note for money which might be paid
in corn at the market price and he got up and stepped
out at the door and said if you say so I will give up my
papers and come up tomorrow and my wife said
that she received that he can let you have it ~~if you~~
~~if you will~~ pay him to meet the payments on his land,

3rd Question by same, Mr Ramsey did I not tell you that I
had bought Rutha Hobbs ^{jun} and Elizabeth Campbell in trust
in the saw mill the next morning when I came to you
with the bond, and tell ~~that~~ ^{you} that I intended to ~~continue~~ ^{for some} it,

Ans I told ~~you~~ ^{Hobbs} Mr Hobbs did tell me that
he had bought Rutha ~~Campbell~~ ^{Hobbs} and Elizabeth
Campbells in trust in the saw mill, But he did not
tell me that he intended to continue for it, he did not
expect Calum would give it up,

4th Question by same Did I not tell you that if
I got the saw mill I would like to have some for you
that same spring,

Answer I think after I signed the bond
you said you would like to have some for me

5th Question by same, Did you not tell me that John
Campbell owed three dollars and that was about

(7)

as you needed them,

Answer, I did tell you that John Campbell
owed me three or three and half, ^{either in cash} ~~either in cash~~ for
suffrage and that I was not able to buy any more stock
at that time,

6th Question by same, Mr Ramsey When I went to your house
that morning with the bond did I not hand it to
you and you tried to read it,

Answer you did hand it to me and I ~~did not~~ ^{did} try
to read it and ~~did not~~ ^{did} not,

7th Question by same, Did I not read it to you before
you signed it,

Answer ~~you~~ ^{you} did not read an offer to read it to
me,

8th Question by same, Did I not tell you I wanted your
intere in trust and would not buy without it,

Answer, such a thing never was named at that
time,

9th Question by same, Have you bought some other share
in your mother-in-law's Estate since that time

Answer, I have bought one share in the Estate and
my Father-in-law's Courtesy in the said Estate

10th Question by same, Mr Ramsey please state what you
gave for these interests

Answer My Brother-in-law came to me and said
he would sell his share in trust for ten dollars,
and I told him I would give it,

11th Question by same What part of the mill is that
share you bought of your Brother-in-law is it not
one fifth of one sixth,

Answer, I think it is,

12th Question by same Was you Mr Ramsey in this coun-
try when D. C. Campbell built this saw mill,

Answer I think I was

13th Question by same, What was your understanding about the contract with Mr Campbell, if you made it

Answer My Father-in-law told me that he and
the rest of the heirs had agreed to give ~~xxx~~ D. C. Camp-
bell up the sawmill on conditions that D. C.
Campbell was to keep the water there at his own
expenses and his part of the ^{goes} ~~saw~~ mill and
have the sawmill there to saw any timber for
the use of the grist mill free of charge

14th Question by me, Mr Ramsey who was the
other person mentioned with your Father in law
in this will, name them,

Answer Margaret Campbell Elizabeth Campbell
bell, Ella Campbell

15th Question by same, Mrs Ramsey what was your understanding about this contract, was it written or verbal, contract

Answer I do not know whether it was written or verbal but I understand since it was verbal;

16th Question by same, Did I understand you to state in a former Question that at the time ^{you} signed the check that ^{you} reserved ~~the~~ ^{you} ~~your~~ ^{your} interest in the saw mill;

Answer, I die the same day before I signed
the bond, John Ramsey

(9)

The Deposition of Campbell a witness of lawful age after being duly sworn Deposes as follows
1st Question by defendant, Mr Campbell are you acquainted with what is known as the old Campbell mill property if so please state what the same is reasonably worth taking into consideration the mill site gristmill and sawmill in the condition they were in, in March 1888 and what would be a reasonable fair price for one full claim thereon,

Answer, I am well acquainted with said property and believe, the said property, to be worth at that time ~~I would not properly be willing to give~~ same three hundred dollars,

2nd Question by same, Mr Campbell what was the income of the said saw and grist mills per year
Answer I suppose it would have been worth at the time mentioned some thing near one hundred and eighty dollars clear of all expenses per year further this deponent says in net,

D. C. ^{his} Campbell
made

Post passed until 18th instant at Habbe & D shops & clock

The parties having met according to previous appointments by Plaintiff and Defendant and the following Depositions were taken

John C Campbell of lawful age after being duly sworn Deposes as follows for Defendant
1st Question by Defendant Mr Campbell are you acquainted with the mill known as the old Campbell mill

Answer I am

2nd Question ^{by same} Mr Campbell at what value do you

Think the sawmill would save in a day well attend
 to

Answer some where about 8 hundred feet.

3rd Question by same Mr Campbell what portion of the
 year will the mill save ~~xxx~~ owing to water &

Answer About 5 months in the year.

4th Question by same, Please tell us what you think the
 greatest mill ^{will} make in the year.

Answer I think that two bushels per week would
 be as much as it would make.

Cross examinations by Plaintiff

1st Question by Plaintiff, Mr Campbell what was the
 condition of the gristmill at the time referred
 to

Answer I consider it in very bad condition
 owing to the age and rotten condition of the frame
 work.

2nd Question by Plaintiff What condition was the dam
 in, at that time.

Answer It was in bad condition it would often
 break through with the weight of a man.

3rd Question by defendant Ramsey, Mr Campbell please
 state what that millsite and both mills would
 be worth ⁱⁿ your situation as I am with timber to
 save, I reserve my wife's interest

Answer I believe from the price I got for ^{one} ~~xxx~~
 thing of the said property that Mrs Ramsey's part
 would be about twenty three dollars

6th Question by same Mr Campbell if you were actu-
 ally as I am with building to do and timber of
 my own and an interest in the mill what would

you be willing to take for said interest, or what
 would it be worth to you.

Answer, I think about Twenty three dollars
 further this defendant says not

John E. Campbell

~~Are & agreements made and entered into between
 Plaintiff & Habes Plaintiff and John Ramsey Defen-
 ant, as follows it is to say, They agree to take Deposi-
 tions in this cause on both ^{sides} for the Plaintiff and Defen-
 ant without any further notice waiving all rights
 as to further notice that all depositions taken from day
 to day and place to place until finished and when
 they are through with said Depositions, ~~to shall be~~
^{and} by the consent of both parties, they shall be read with
 objections by either parties as to the usual forms of
 notice & in taking Depositions, And they shall be
 closed by agreement of ^{each} party.~~

Veritas

Le County to wit

This ^{is} to certify that
 the above Depositions were taken at the
 times and places above specified and that
 the Plaintiff and defendant were present up-
 on each occasion Given under my hand and
 seal this the 18th day of August 1885

Le. S. Fullerton J.P. Seal

John Ramsey & wife
ads 3 Depo
Solomon D Hobbs

Rec'd. by mail in good
order, from the Justice
before whom taken &
filed Aug. 21st 1885.

J. D. Wyatt & Co

J. P. fee - - - \$7.12½

The following Depositions of Ella Campbell and James H. Hobbs as Witnesses for Plaintiff are intended to be read as evidence in the Cause of Solomon D Hobbs Plaintiff and John Ramsey and wife as ^{Defendants} ~~Plaintiffs~~, in the Chancery Court of Lee County Virginia

~~At the~~ ^{1st} Question Ella Campbell having been first duly sworn deposes and says that as follows that is to say, her age is 59 years this day
 1st Question by Plaintiff, Miss Campbell was it understood by you that the Campbell heirs had an interest in the Ola Germa Campbell saw mill if they claimed it,

Answer Yes

2nd Question, did you Miss Campbell sanction or agree to the verbal contract made by Eliza Hobbs with David C Campbell, as to rebuilding the saw mill,

Answer I did

3rd Question did David C Campbell refuse to pay any part of the repairs on that ^{grist} ~~saw~~ mill at the time you employed me to repair the ~~saw~~ ^{saw} mill

Answer He did,

Question, At the time I bought your interest you sold me your interest in the saw and grist mill,

Answer I sold my entire interest to you

(2)

1st Questions by defendant, Did you Miss Campbell go in person to David C. Campbell ~~in person~~ and ask him to pay part of the repairs of said mill

Answer, Not that I recollect of,

2nd Question Miss Campbell did you or not ^{long} before you sold your interest in said mill to Foster Hobbs go to David C. Campbell and give up your interest in said mill

Answer David C. Campbell was to keep the mill clear in order and to furnish any timber ^{same} needed for the repairing of the said mill if I and the rest of my sisters would give up our interest in the said mill, and we did so

3rd Question, did you or not tell me that after you sold the ~~said~~ ^{mill} ~~said~~ ^{mill} to Bro Hobbs that you did not know you had any interest in the said mill,

Answer, I do not recollect,

Question by Plaintiff, Miss Campbell ^{you} do recollect at any time of having any conversation with John Ramsey and his wife concerning David C. Campbell failure to comply with his contract
Answer I do not,

Question did you ever have any talk with David C. Campbell as to helping to repair ~~the~~ the mill

Answer I did and he said that he never expected to strike another lick on it to help to keep it up,

Question by defendant, Miss Campbell

(3)

when you went to David C. Campbell did you want to repair the old mill or did you want to run works halting Claette something and D,

Answer, I told David C. Campbell if the rest of the party would get a sawmill and make other repairs I would buy the halting Claette myself and he said he would not do anything ~~with~~ with it,

Further this deponent repeats not
Ella Campbell

Postponed until Friday 8 August 1885

Parties have again met according to agreement this the 7th day of August 1885

And James Hobbs witness for plaintiff being duly sworn deposes and says he is 28 years old

1st Question Mr Hobbs was you present when Mr Ramsey came to the shop to see me about the pay for the mill he bought of me,

Answer, I was there at one time, I suppose the time referred to,

2nd Question The day Mr Ramsey came to the shop and asked me for the pay for the mill did he agree that the next day would do to pay the money

Answer, my recollection is that Mr Ramsey said in the morning ^{he would} do

3rd Question Did you not take the money the same day Ramsey was at the shop,

4th Question What did Mr Ramsey say when you offered him the money

Ans, I did,

11th Question What did Mrs Ramsey say when you offered him the money

Answer, Mrs Ramsey was at his table, and would not receive the money, but said what ever my wife does will be right,

5th Question, Did you offer the money to his wife that day,

Answer I did,

6th Question What was Mrs Ramsey's reply when you offered her the money,

Answer, Mrs Ramsey said she would receive the money if I would pay for the expenses of the deed,

7th Question did you not the next morning go a gain with some one else and count the money and ~~offer~~ offer to them Boath, Ramsey and his wife

Answer, I did,

Questions by defendants

1st Question, Mr Hobbs at the time we were in the shop yard was your father present,

Answer, He was not at first but came before Mrs Ramsey left,

2nd Question Mrs Hobbs did you ever her son ask for any thing that was coming to ^{my wife} her for that mill property,

Answer, I do not

Salomon Hobbs

3rd Question, Do you recollect when this conversation took place between you and I,
 Answer, I do not,

4th Question Do you recollect if this was about the time the note was due that I held on your Father Solomon D. Hobbs,

Answer, I do not know,

5th Question, Do you recollect Mr Hobbs when you came to my stable. How you wanted me to make the deed to this ^{to} ~~note~~ to, And ^{to} whom.

Answer, I do, And asked you to make it to my Brother Charles Hobbs or my Father Solomon D Hobbs I did not care which

6th Question Do you recollect what my answer was in making your Brother Charles Hobbs the deed,
 Answer, I do not know what your exact answer was, but know you refused to make ^{the deed} to Brother Charles.

7th Question, Did I not tell you Mr Hobbs at the stable the time referred to, that if my wife would ^{make} this deed I would sign it,

~~Answer, you told me to go and see your wife and if she would.~~ Answer I do not recollect,

8th Question, Did you not tell me at the time you came to me at the stable that you had the money ready to pay me and my wife any time we would make the deed,

Answer, I did

9th Question, Did you at the time you came to my stable

Shall we any money

(6)

Answer, ~~I do not~~ ^{recollect that} I did,

10th Question, did you that same evening when going

to see my wife at the house offer her any money

Answer, I did not,

11 Question, Do you recollect the evening you was at
my house in conversation with my wife what she said

^{to you} concerning making the deed, please relate the same

Answer, Mrs Ramsey said that as my Father Galerman

& Hobbs had had the mill in use some time, that he

would be at the expense of the deed and that

~~if Mrs Ramsey was what ever Mrs Ramsey did was all~~
right,

12th Question, Did you not the next morning come
and pull out your pocket book

to my house ~~the next morning~~ and tell me that
you ^{just} wanted to show me ^{you had the} that money to make the deed to your
Father,

Answer, I offered the money by putting out my pocket

and offered the money for the note if said Ramsey

would make the deed to the ~~mill~~, my Father for the
mill,

13th Question, How much did your father owe me

for the miller at that time,

Answer, I do not know,

14th Question, did you count out the money and present
to myself or my wife to lift that note,

Answer, I counted out ten dollars and presented

to Mrs Ramsey and wife to lift the note but cannot

tell the amount of the note, for I never seen it,

15th Question, In what way did you make a tender of this
money,

(7)

Answer, I offered the money in my hand two or three
~~that morning~~ times, and begged you to take it and give up the note
and make the deed,

16th Question, did you get up and step to me or my wife

with your hand extended and tender us the money

Ans, I do not recollect,

17th Question, Mr Hobbs did I not tell my wife that

morning when you came to my house and pulled

out your pocket book to pay the note, that she had

better make your Father the deed that he was going

to sue us,

Answer, That is my Recollection,

18th Question, Did I not tell you at the time we were at

your Father's shop that I had come several times for that

money and every time I went home my wife told me

she would not make the deed that your Father Galerman

& Hobbs had not complied with his contract, And did

you not ask if it would not do in the morning

And did I not say it may be it will,

Answer, you ~~said~~ did, is my recollection,

19th Question, Mr Hobbs did your Father give you money

sufficient to lift that note principle and interest

Answer, Charles H Hobbs gave me ten dollars to pay

you but whether that amount was sufficient to

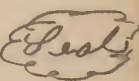
cover principle and interest or not I cannot tell

Further this deponent says - not

James H Hobbs

See coming to wit

This is to certify that the above
named witnesses ~~and~~ plaintiff and defend-
ant John Ramsey were present at the place
and times above named in the notes and
the depositions were duly taken according to law
Given under my hand and seal
August the 7th - 1885-

Lee S. Fullerson, J.P. 

John Ramsey

203 - Dec 10

John Ramsey

Book by mail in
Good Condition V
Price \$1.00, 1885-1886

John Ramsey
203.

203 for Dec 10 \$4.50
203 for Dec 10 1.00

all of the county of L. and State of
Virginia

This indenture made and entered in to
between John Ramsey and Winford Ramsey
of the first part and S D Hobbs of the 2^d part
Witnesseth that the said Ramsey and Winford
Wife has this day bargained and sold and
delivered to said Hobbs their interest entire
to the mill property owned by the James
Campbell heirs of which said Winford's mother
was one of said heirs in consideration
the sum of ten dollars to be paid by the
1st of May next in consideration of
such payment we bind our selves him &
in the sum of \$20 dollars to make said Hobbs
a general warrantee deed in witness whereof
we have hereunto set our hands and seals
this the 30th day of March 1883

John Ramsey Seal
Winford M Ramsey Seal

11 A

Solomon D. Hobbs Peff }
do } In Chy
John Ramsey & Co. Defts }

It is hereby mutually agreed that the
Peff has paid the debt, the purchase money due him
in the cause, and that the debts have been
the result of conveyance satisfactory to the Peff
and that all matters of controversy between the
parties have been fully settled. April 20th 1885.

Solomon D. Hobbs
John Ramsey
Winifred M. Ramsey

Salmon D. Hobbs.

in { agreement

John H. H. H. H. H.

(A.B.)

For taking Depositions in the ^{Cause} said of Hobbs
and Ranney first day one hour and half
makes

\$ 1.25

And on Friday the 4th 4 hours

3.00

supper for witnesses

25

postage stamps

2

\$4.52

The above is just said amounts

Lee, S. Fulkerson, Jr.

Bill of Costs
inc, Hobbs
vs

Ramsey

Virginia Lee County to wit

To Jeff^{RE} C. Esq. Constable of said County
I Lie & Fulkerson a justice of ^{the} said County do command
and give that ~~if~~ ~~the~~ you summon James H. Hobbs
Electra Hobbs ~~and~~ ^{and the heirs of Elizabeth Campbell} Elly Campbell to appear before me
or such justice as may then be there to give evidence
in the Cause of Solomon S. Hobbs is plaintiff and John
Ramsey & wife are Defendants on the 3rd day of August
1885 at Lees Forge in Lee County to testify and the truth
to say in behalf of Solomon S. Hobbs in a certain
matter of Controversy depending and undetermined
in the Chancery Court of Lee County between Solomon S.
Hobbs and John Ramsey & Wife and there ^{from} and there this
summons herein fail you not, Given under my
hand and seal this the 1st day of August 1885-

Lie & Fulkerson, J.P. (Seal)

Summons for
James Hobbs &
Others,
Solomon D. Hobbs
vs

John Ramsey & wife

Executed according
to law July the 3rd
1848 - J. R. Edds cor

To John Cassady, Sheriff of Lincoln County, N.M.
You will please take notice that on the
1st day of August 1885 at 3 o'clock in the
forenoon I went to court to take the depositions
of James H. Hobbie & others which depositions were
intended to be used as evidence in my behalf
in a suit in chancery now pending in the
District Court of said County the in which I
am Plaintiff and you are defendants and
if from any cause the taking of said depositions
has not commenced or if commenced has not
been completed on that day the taking of said
depositions will be adjourned from time to
time and from place to place until completed.
Witness my hand this 1st day of July 1885.
William D. Hobbie
Counselor

Thomas J. Castle
of Boston.

The following
are original \$20

The small paper
of the following date.
July 1st 1880

Pickman & Morgan
for drafts.

Mr Solomon D. Hobbs.

1st ^{the}

You will please take notice that on the ~~10th~~ day of
Augt 1885 at Bates Forge Lu 100 0⁰⁰ we will
proceed to take the depositions of John Ramsey D. Campbell
& John Campbell which when taken are intended
to be used as evidence on our behalf in a certain chancery
suit now pending in the circuit court of Lu County Vir-
ginia in which you are plaintiff and we are
defts. and if said depositions are not completed on the
day designated the same will be adjourned from day to day
time to time & place to place till completed ^{the 10 day of Augt.} ~~the~~ 1885

John Ramsey
Winifred Ramsey.

By Counsel

Mr A. J. Hyatt

I have been engaged in these Depositions a while & I have been unable to ascertain what it is worth. The other Depositions for Halls & Charges 75 cents per hour, and it may be very please correct them if they are, and please put these at their careful price, which is 9 1/2 hours engaged in the taking. I am signed by name if necessary.

Lee S. Fulkerson

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

John Ramsey
& *Minaford M. Ramsey* his wife

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

June next being rule day to answer a bill in Chancery exhibited in our said Court against *them*

by

S. D. Hobbs.

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

12th

day of

May

1884,

in the 10th

year of the Commonwealth.

J. A. G. Hyatt Clerk

R. D. H.

S. D. Hobbs

vs $\frac{3}{3}$ Spain Chey

John Ramsey wife

To June Rules 1884

Executed.

S. H. Ewing D.S.

for R. D. Manary D.L.

June 2^d 1884